

S. 1232. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs, and for other purposes.

### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM—27. A joint resolution adopted by the Legislature of the State of Utah urging the opposition of federal legislation that would interfere with a state's authority to direct the transport or processing of horses; to the Committee on Agriculture, Nutrition, and Forestry.

#### HOUSE JOINT RESOLUTION NO. 7

Whereas, the processing of horses has become a controversial and emotional issue and has resulted in the closing of all horse processing facilities throughout the United States;

Whereas, federal legislation has been introduced to amend the 1970 Horse Protection Act that would prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines for processing and other purposes;

Whereas, the loss of secondary markets has severely impacted the livestock industry by eliminating the salvage value of horses and has significantly reduced the market value of all horses;

Whereas, prohibitions regarding the processing of horses have resulted in significant increases in abandoned and starving animals and have had significant economic impact on the entire equine industry;

Whereas, the increase in unwanted or unusable horses has overwhelmed private animal welfare agencies and the public's ability to care for surplus domestic horses;

Whereas, the annual number of unwanted or unusable surplus domestic horses in the United States is currently estimated at 100,000 and continues to increase;

Whereas, issues related to the humane handling and slaughter of surplus domestic horses are best addressed by proper regulations and inspection and not by banning or exporting the issues; and

Whereas, state agriculture and rural leaders recognize the necessity and benefit of a state's ability to direct the transport and processing of horses: Now, Therefore, be it

*Resolved*, That the Legislature of the state of Utah urges the United States Congress to oppose federal legislation that interferes with a state's ability to direct the transport or processing of horses; be it further

*Resolved*, That a copy of this resolution be sent to the President of the United States, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, and to the members of Utah's Congressional delegation.

POM—28. A joint resolution adopted by the Legislature of the State of Utah urging the National Collegiate Athletic Association to abandon the Bowl Championship Series (BCS) structure in favor of a college football playoff system; to the Committee on Commerce, Science, and Transportation.

#### SENATE JOINT RESOLUTION NO. 11

Whereas, the University of Utah football team finished the 2008 football season as the only undefeated football team in Division I-A, with a perfect 13-0 record;

Whereas, the University of Utah football team capped a season-long string of victories at the Sugar Bowl with an impressive 31-17

win over the University of Alabama, which held the number one ranking in the nation for five weeks;

Whereas, during the regular season, the Mountain West Conference had three teams in the Top 25 and had a 6-1 record against Pac-10 teams;

Whereas, in the 2008 season, the University of Utah football team defeated six bowl teams ranked in the Top 25, and won seven games away from home;

Whereas, as the matter currently stands, the University could go undefeated indefinitely and still not compete for a national title;

Whereas, the Bowl Championship Series (BCS) began in 1998 with the intent of crowning a definite national champion;

Whereas, the BCS relies on a combination of polls and computer rankings to determine which teams play in the BCS national championship game and help set the line-ups for the most prestigious bowl games.

Whereas, although the BCS may be an improvement over past championship determinations, the system is still widely acknowledged as falling short of its goal of establishing a definitive college football champion;

Whereas, many experts have candidly criticized the flaws in the BCS system and often use the 2008 University of Utah football team as the strongest argument for the failings of the system; and

Whereas, a national playoff is the only way to be certain that the team crowned as national champion has earned the designation on the gridiron: Now, therefore, be it

*Resolved*, That the Legislature of the State of Utah strongly urges the National Collegiate Athletic Association to abandon the Bowl Championship Series (BCS) structure for determining the Division I-A national football champion in favor of a playoff system so that all can be assured that the best college football team is the one crowned as national champion; be it further

*Resolved*, That a copy of this resolution be sent to the National Collegiate Athletic Association, the BCS, the University of Utah football team, to the members of Utah's congressional delegation, and to President Barack Obama.

POM—29. A concurrent resolution adopted by the Legislature of the State of Utah expressing support for the current Bureau of Land Management resource management plans and the process used to complete the plans; to the Committee on Energy and Natural Resources.

#### HOUSE CONCURRENT RESOLUTION NO. 8

Whereas, because the nation's dependence on foreign sources of energy leaves the economy vulnerable, serious effort must be devoted to decrease the nation's dependency on foreign energy sources;

Whereas, oil and natural gas form an essential bridge to attaining a future of energy independence sustained by alternative and renewable energy sources;

Whereas, the Federal Land Policy and Management Act (Act) mandates that the Federal Bureau of Land Management (BLM) manage public lands for multiple uses such as outdoor recreation, livestock grazing, energy exploration and production, conservation, and timber production;

Whereas, the Act establishes that the BLM sustain the health, diversity, and, productivity of public lands for the use and enjoyment of present and future generations;

Whereas, in making decisions about land use, the Act requires the BLM to develop resource management plans and update them periodically;

Whereas, these important land use management decision documents require public input and participation;

Whereas, managing the nation's cherished public lands for multiple uses is a constant challenge;

Whereas, citizens expect the BLM to provide responsible energy and minerals development, recreational opportunities, appropriate access, and healthy landscapes, while still providing an adequate level of resource protection to ensure that future generations will continue to benefit from and enjoy these areas;

Whereas, the resource management plan process, developed by the BLM to accomplish these goals, is thorough, deliberative and very public;

Whereas, resource management plans provide administrative protections to some lands, including major constraints such as no surface occupancy and disturbance timing stipulations;

Whereas, extensive state and community input is invited and submitted both in writing and through the public hearing process;

Whereas, resource management plans for the Moab, Richfield, Price, Vernal, Monticello, and Kanab Field Offices recently went into effect after approximately eight years of development and review;

Whereas, hundreds of thousands of public comments were considered during the Enrolled Copy planning process;

Whereas, new environmental restrictions included in the resource management plans provide multiple layers of safeguards to prevent environmental damage to sensitive natural resources;

Whereas, the proposed plans envision maintaining areas open to oil and gas leasing, but also institute protective measures during development like timing limitations, best management practices, and advanced technology to minimize the footprint of developing important resources;

Whereas, there was no cutting of corners or abridgment of processes in preparing the resource management plans;

Whereas, due to the strong feelings regarding the use of public lands, every private group and government entity involved in the process would like to see some changes in the outcome, but all groups were heard and their concerns given thoughtful and careful consideration;

Whereas, the state of Utah and Uintah, Duchesne, Grand, Emery, San Juan, Sevier, Garfield, Kane, Wayne, Piute, and Carbon Counties were cooperating agencies in the BLM's development of the current resource management plans and have interests in preserving the plans;

Whereas, upon approval of these management plans, the BLM offered for lease parcels of land which had been set aside for several years pending completion of the resource management plans;

Whereas, leases do not convey an unlimited right to explore or an unlimited right to develop oil and gas resources, but are subject to terms designed to minimize and mitigate the impacts of development;

Whereas, in addition to proposing an accommodation for the nation's pressing need for energy development, the plans also propose protecting public lands within the six planning areas where there are sensitive natural resources, making these lands off limits to surface disturbing activities and unavailable to oil and gas leasing;

Whereas, this type of protection would extend to almost one million acres of public land in addition to nearly two million acres of existing wilderness study areas;

Whereas, a lawsuit has been filed challenging the legality of the BLM's December 19, 2008, sale of oil and gas leases;

Whereas, the state has been granted permission by the Court to defend its interests in the lawsuit by participating as an intervenor;